

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

YVES NADIE,

Plaintiff,

v.

UNITED STATES POSTAL SERVICE,

Defendant.

CIVIL ACTION

NO. 24-4049-KSM

ORDER

AND NOW, this 15th day of November 2024, upon consideration of Defendant United States Postal Service's ("USPS") motion to substitute, vacate, and dismiss (Doc. No. 11) and Plaintiff's opposition (Doc. No. 12), it is **ORDERED** that USPS's motion is **GRANTED**, as follows:

1. The United States of America is **SUBSTITUTED** as the only party defendant, and the Clerk of Court is **DIRECTED** to amend the caption accordingly.

2. The default judgment entered against USPS in the Magisterial District Court of Bucks County, Pennsylvania is **VACATED**.

3. The claim against USPS is **DISMISSED WITH PREJUDICE**.

4. The claim against the United States is **DISMISSED WITHOUT PREJUDICE**. Plaintiff may file a claim against the United States in a timely, separate, original action in this Court after exhausting his administrative remedies as explained in the accompanying memorandum. *See* 28 U.S.C. § 2401(b).

5. The Clerk of Court is **DIRECTED** to close this case.

IT IS SO ORDERED.

/s/ Karen Spencer Marston
KAREN SPENCER MARSTON, J.